

Remarks

The Office Action mailed March 15, 2006 has been carefully reviewed and the foregoing amendments have been made in consequence thereof.

Claims 1-4, 7-21 and 26-32 are now pending. Claim 1-48 stand rejected. Claims 5, 6, 22-25 and 33-48 have been cancelled.

In accordance with 37 C.F.R. 1.136(a), a two-month extension of time is submitted herewith to extend the due date of the response to the Office Action dated March 15, 2006, for the above-identified patent application from June 15, 2006, through and including August 15, 2006. In accordance with 37 C.F.R. 1.17(a)(3), authorization to charge a deposit account in the amount of \$450.00 to cover this extension of time request also is submitted herewith.

The rejection of Claims 36-38 under 35U.S.C.§102(b) as being anticipated by Forrest et al. (U.S. Patent No. 6,049,781) ("Forrest") is respectfully traversed.

Claims 36-38 have been cancelled. Accordingly, Applicants respectfully request that the Section 102 rejection of Claims 36-38 be withdrawn.

The rejection of Claims 16, 19-21, 45, 46 and 48 under 35U.S.C.§102(e) as being anticipated by Regan (U.S. Patent No. 6,898,574) is respectfully traversed.

Applicants respectfully submit that Regan does not describe or suggest the claimed invention. More specifically, at least one of the differences between the claimed invention and Regan is that Regan does not describe or suggest a method for operating a computer for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer, wherein the financing is secured by an asset and each appraisal is submitted to the business by an appraiser and values the asset securing the loan, wherein the method includes displaying on the computer an appraisal bid request including information describing a specific asset to be used for securing a financing, receiving a response from the appraiser to the appraisal bid request displayed on the computer, and prompting the appraiser by displaying a template on the computer to input an appraisal including a type and a value of the asset being appraised.

Moreover, Regan does not describe or suggest a method for operating a computer that includes storing the inputted appraisal within a database based on the type of asset being appraised and the appraiser submitting the appraisal, wherein the database stores data including a plurality of appraisals submitted by a plurality of appraisers, and wherein each appraisal describes and values a different asset used for securing a financing.

Furthermore, Regan does not describe or suggest a method for operating a computer that includes receiving a sold amount for each asset stored within the database after the asset is sold, comparing the sold amount for each asset sold to the value of the asset included within the appraisal stored within the database, and determining an accuracy of an appraiser based on the comparison of the sold amount of an asset to the appraised value of the asset.

Rather, Regan describes a system and method for transaction processing that includes a central repository of transaction information which can be accessed by a variety of participants who may be located over a wide geographic area in the recovery process of a property unit such as a vehicle or other collateral. Interfacing with a variety of computer systems over a communication network, such as the Internet, allows interchange of data relating to the recovery process and centralized coordination of the recovery process.

Claim 16 recites a method for operating a computer for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer, wherein the financing is secured by an asset and each appraisal is submitted to the business by an appraiser and values the asset securing the loan, the method comprising "displaying on the computer an appraisal bid request including information describing a specific asset to be used for securing a financing...receiving a response from the appraiser to the appraisal bid request displayed on the computer...prompting the appraiser by displaying a template on the computer to input an appraisal including a type and a value of the asset being appraised...storing the inputted appraisal within a database based on the type of asset being appraised and the appraiser submitting the appraisal, wherein the database stores data including a plurality of appraisals submitted by a plurality of appraisers, wherein each appraisal describes and values a different asset used for securing a financing...receiving a sold amount for each asset stored within the database after the asset is sold...comparing the sold amount for each asset sold to the value of

the asset included within the appraisal stored within the database...and determining an accuracy of an appraiser based on the comparison of the sold amount of an asset to the appraised value of the asset.”

As stated above, Regan does not describe or suggest a method for operating a computer for soliciting, receiving and managing appraisals as recited in Claim 16. Accordingly, Applicants respectfully submit that Claim 16 is patentable over Regan.

For at least the reasons set forth above, Claim 16 is submitted to be patentable over Regan.

Claims 19-21 depend from independent Claim 16. When the recitations of Claims 19-21 are considered in combination with the recitations of Claims 16, Applicants submit that dependent Claims 19-21 likewise are patentable over Regan.

Claims 45, 46 and 48 have been cancelled.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 16, 19-21, 45, 46 and 48 be withdrawn.

The rejection of Claims 11, 17 and 47 under 35 U.S.C. §103(a) as being unpatentable over Regan (U.S. Patent No. 6,898,574) is respectfully traversed.

Regan is described above.

Claim 11 recites a method for obtaining an appraisal for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer, wherein the financing is secured by an asset and each appraisal is submitted to the business by an appraiser and values the asset securing the loan, the method includes “displaying on a client system an appraisal bid request including information describing a specific asset to be used for securing a financing...receiving a response from the appraiser to the appraisal bid request displayed on the client system...prompting the appraiser by displaying a template on the client system to input an appraisal including a type and a value of the asset being appraised...storing the inputted appraisal within a database based on the type of asset being appraised and the appraiser

submitting the appraisal, wherein the database stores data including a plurality of appraisals submitted by a plurality of appraisers, wherein each appraisal describes and values a different asset used for securing a financing...and processing the plurality of appraisals stored within the database including valuing an asset to be appraised by comparing the type of asset to be appraised with the types of assets stored within said first database.”

Regan does not describe or suggest a method as recited in Claim 11. Claim 11, as herein amended, recites a method for obtaining an appraisal for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer that includes steps essentially similar to those recited in Claim 16. Thus, it is submitted that Claim 11 is patentable over Regan for the reasons that correspond to those given with respect to Claim 16.

For at least the reasons set forth above, Claim 11 is submitted to be patentable over Regan.

Claim 17 depends from Claim 16. Claim 16 is recited hereinabove. As stated above, Regan does not describe or suggest a method as recited in Claim 16. Thus, it is submitted that Claim 16 is patentable over Regan.

When the recitations of Claim 17 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claim 17 is also patentable over Regan.

Claim 47 has been cancelled.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 11, 17 and 47 be withdrawn.

The rejection of Claims 15 and 18 under 35 U.S.C. §103(a) as being unpatentable over Regan (U.S. Patent No. 6,898,574) in view of Broerman (U.S. Patent No. 6,594,633) is respectfully traversed.

Regan is described above. Broerman describes a real estate computer network (10) that facilitates a real estate transaction between a buyer (13) and a seller (12) by electronically communicating between the parties (12, 13) and third parties such as a real estate facilitating

entities (24) (e.g., lawyer, mortgage provider, title provider) over a network (14), such as or including the Internet (16). Each stage of the transaction is supported by the parties utilizing an online real time interactive communication interface (120) to list property information; to search for a property in a property database (20); to negotiate via an electronic purchase contract (96); and to schedule associated events (e.g., showings) and deadlines (e.g., closing, mortgage filing). Other real estate services are supported, such as electronic mortgage calculator (224), electronic mortgage application (226), searching for comparable sales (92), electronic document delivery (222), and others.

Claim 15 depends from Claim 11. Claim 11 is recited above. As stated above, Regan does not describe or suggest a method for obtaining an appraisal for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer as recited in Claim 11. Moreover, Broerman does not make up for the deficiencies of Regan. Accordingly, Applicants respectfully submit that Claim 11 is patentable over Regan in view of Broerman.

When the recitations of Claim 15 are considered in combination with the recitations of Claim 11, Applicants submit that dependent Claim 15 is also patentable over Regan in view of Broerman.

Claim 18 depends from Claim 16. Claim 16 is recited above. As stated above, Regan does not describe or suggest a method for operating a computer for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer as recited in Claim 16. Moreover, Broerman does not make up for the deficiencies of Regan. Accordingly, Applicants respectfully submit that Claim 16 is patentable over Regan in view of Broerman.

When the recitations of Claim 18 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claim 18 is also patentable over Regan in view of Broerman.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 15 and 18 be withdrawn.

The rejection of Claims 33-35 under 35 U.S.C. §103(a) as being unpatentable over Dugan (U.S. Patent No. 5,857,174) is respectfully traversed.

Claims 33-35 have been cancelled. Accordingly, Applicants respectfully request that the rejection of Claims 33-35 be withdrawn.

The rejection of Claims 12-14 and 39-44 under 35 U.S.C. §103(a) as being unpatentable over Regan (U.S. Patent No. 6,898,574) in view of Zandi (U.S. Patent No. 5,966,699) is respectfully traversed.

Regan is described above. Zandi describes a computer system for conducting an electronic loan auction over a computer network such as the Internet. The computer system includes a computer connected to the Internet, which performs the following functions: (1) receiving an electronic loan application form from a prospective borrower; (2) providing such application to a loan authorizer's computer over the computer network for approval; (3) receiving an electronic message from the loan authorizer's computer indicating whether or not such loan has been approved; (4) entering the loan application into a database that is accessible to lenders via the computer network, if the loan is approved; and (5) maintaining the loan application in the database for a predetermined period time during which lenders may submit bids and the borrower may accept a bid.

Claims 12-14 depend from Claim 11. Claim 11 is recited above. As stated above, Regan does not describe or suggest a method for obtaining an appraisal for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer as recited in Claim 11. Moreover, Zandi does not make up for the deficiencies of Regan. Accordingly, Applicants respectfully submit that Claim 11 is patentable over Regan in view of Zandi.

When the recitations of Claims 12-14 are considered in combination with the recitations of Claim 11, Applicants submit that dependent Claims 12-14 are also patentable over Regan in view of Zandi.

With respect to Claims 39-44, Applicants submit that Claims 39-44 have been cancelled. Accordingly, Applicants respectfully request that the rejection of Claims 39-44 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 12-14 and 39-44 be withdrawn.

The rejection of Claims 1-10 and 22-32 under 35 U.S.C. §103(a) as being unpatentable over Regan (U.S. Patent No. 6,898,574) in view of Official Notice is respectfully traversed.

Regan is described above. Although the Official Notice is not clearly defined in the Office Action, it appears that the Examiner has taken Official Notice that “it would have been obvious to an ordinary practitioner of the art at the time of Applicant’s invention that computer apparatus, storage media, multiple databases for storing various types of data, and servers dedicated and programmed to perform various functions such as retrieving and updating data in the databases and to cause web pages to be displayed to authorized outside parties to access such stored items as an appraisal application” and “[t]herefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant’s invention to have modified the teachings of Regan with the well known computer systems art for the purpose of operating a computer based system for the administration of activities such as appraisals, motivated by a desire to assist users of appraisals in the efficient processing of the their transactions.”

Applicants traverse the Official Notice. Official Notice may be used for “facts...capable of such instant and unquestionable demonstration as to defy dispute”. (See *In re Ahlert*, 424 F.2d 1088, 165 USPQ 418, 420 (CCPA 1970). Applicants submit that the Official Notice provided in the Office Action does not include facts that are capable of instant and unquestionable demonstration as to defy dispute. More specifically, Applicants submit that the assertion that it would have been obvious to one skilled in the art to “have modified the teachings of Regan with the well known computer systems art for the purpose of operating a computer based system for the administration of activities such as appraisals, motivated by a desire to assist users of appraisals in the efficient processing of the their transactions” is not a fact that is capable of instant and unquestionable demonstration as to defy dispute. Accordingly, Applicants submit that the Official Notice taken in the Office Action is improper.

Claim 1 recites a system for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer, wherein the financing is secured by an asset and

each appraisal is submitted to the business by an appraiser and values the asset securing the loan, the system includes “a first database for storing data including a plurality of appraisals submitted by a plurality of appraisers, wherein each appraisal describes and values a different asset used for securing a financing, wherein access to said first database is restricted to users associated with the business...a second database for storing appraisal bid request data including information describing at least one asset to be appraised, wherein access to said second database is restricted to registered users...a client system associated with the appraiser...a business server coupled to said first and second databases and said client system, said server programmed to...retrieve data from said second database and display on the client system an appraisal bid request including information describing a specific asset to be used for securing a financing...receive a response from the appraiser to the appraisal bid request displayed on the client system...prompt the appraiser by displaying a template on the client system to input an appraisal including a type and a value of the asset being appraised...store the inputted appraisal within said first database based on the type of asset being appraised and the appraiser submitting the appraisal...and process the plurality of appraisals stored within said first database including valuing an asset to be appraised by comparing the type of asset to be appraised with the types of assets stored within said first database.”

Neither Regan nor the Official Notice, alone or in combination, describe or suggest a system for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer as recited in Claim 1. More specifically, neither Regan nor the Official Notice, alone or in combination, describe or suggest a system that includes a first database for storing data including a plurality of appraisals submitted by a plurality of appraisers wherein each appraisal describes and values a different asset used for securing a financing, and a second database for storing appraisal bid request data including information describing at least one asset to be appraised.

Moreover, neither Regan nor the Official Notice, alone or in combination, describe or suggest a system that includes a business server programmed to retrieve data from the second database and display on a client system an appraisal bid request including information describing a specific asset to be used for securing a financing, receive a response from the appraiser to the appraisal bid request displayed on the client system, and prompt the appraiser by displaying a

template on the client system to input an appraisal including a type and a value of the asset being appraised.

Furthermore, neither Regan nor the Official Notice, alone or in combination, describe or suggest a system that includes a business server programmed to store the inputted appraisal within the first database based on the type of asset being appraised and the appraiser submitting the appraisal, and process the plurality of appraisals stored within the first database including valuing an asset to be appraised by comparing the type of asset to be appraised with the types of assets stored within the first database.

Rather, Regan describes a system and method for transaction processing that includes a central repository of transaction information which can be accessed by a variety of participants who may be located over a wide geographic area in the recovery process of a property unit such as a vehicle or other collateral. Interfacing with a variety of computer systems over a communication network, such as the Internet, allows interchange of data relating to the recovery process and centralized coordination of the recovery process.

Moreover, the Official Notice set forth in the Office Action does not make up for the deficiencies of Regan. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Regan in view of the Official Notice.

Claims 5 and 6 have been cancelled. Claims 2-4 depend from Claim 1. When the recitations of Claims 2-4 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-4 are also patentable over Regan in view of the Official Notice.

Claim 7 recites a system for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer, wherein the financing is secured by an asset and each appraisal is submitted to the business by an appraiser and values the asset securing the loan, the system includes "a database comprising data corresponding to a plurality of appraisals submitted by a plurality of appraisers wherein each appraisal describes and values a different asset used for securing a financing, and appraisal bid request data including information describing at least one asset to be appraised...a client system associated with the appraiser...and

a business server coupled to said database and said client system, said server programmed to...retrieve data from said database and display on the client system an appraisal bid request including information describing a specific asset to be used for securing a financing...receive a response from the appraiser to the appraisal bid request displayed on the client system...prompt the appraiser by displaying a template on the client system to input an appraisal including a type and a value of the asset being appraised...store the inputted appraisal within said database based on the type of asset being appraised and the appraiser submitting the appraisal...receive a sold amount for each asset stored within said database after the asset is sold...compare the sold amount for each asset sold to the value of the asset included within the appraisal stored within said database...and determine an accuracy of an appraiser based on the comparison of the sold amount of an asset to the appraised value of the asset.”

Neither Regan nor the Official Notice, alone or in combination, describe or suggest a system as recited in Claim 7. Claim 7, as herein amended, recites a system for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer that includes a business server programmed to perform steps essentially similar those performed by the server in Claim 1. Thus, it is submitted that Claim 7 is patentable over Regan in view of the Official Notice for the reasons that correspond to those given with respect to Claim 1.

For at least the reasons set forth above, Claim 7 is submitted to be patentable over Regan in view of the Official Notice.

Claims 8-10 depend from Claim 7. When the recitations of Claims 8-10 are considered in combination with the recitations of Claim 7, Applicants submit that dependent Claims 8-10 are also patentable over Regan in view of the Official Notice.

Claims 22-25 have been cancelled.

Claim 26 recites an apparatus for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer, wherein the financing is secured by an asset and each appraisal is submitted to the business by an appraiser and values the asset securing the loan, the apparatus including “means for storing data within a database including a plurality of appraisals submitted by a plurality of appraisers, wherein each appraisal describes and values

a different asset used for securing a financing, wherein access to said first database is restricted to users associated with the business...means for retrieving data from the database and displaying on a client system an appraisal bid request including information describing a specific asset to be used for securing a financing...means for receiving a response from the appraiser to the appraisal bid request displayed on the client system...means for prompting the appraiser by displaying a template on the client system to input an appraisal including a type and a value of the asset being appraised...means for storing the inputted appraisal within the database based on the type of asset being appraised and the appraiser submitting the appraisal...and means for processing the plurality of appraisals stored within the database including valuing an asset to be appraised by comparing the type of asset to be appraised with the types of assets stored within said first database.”

Neither Regan nor the Official Notice, alone or in combination, describe or suggest an apparatus as recited in Claim 26. Claim 26, as herein amended, recites an apparatus for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer that includes means for performing steps essentially similar those performed by the server in Claim 1. Thus, it is submitted that Claim 26 is patentable over Regan in view of the Official Notice for the reasons that correspond to those given with respect to Claim 1.

For at least the reasons set forth above, Claim 26 is submitted to be patentable over Regan in view of the Official Notice.

Claims 27-29 depend from Claim 26. When the recitations of Claims 27-29 are considered in combination with the recitations of Claim 26, Applicants submit that dependent Claims 27-29 are also patentable over Regan in view of the Official Notice.

Claim 30 recites a computer-readable medium for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer, wherein the financing is secured by an asset and each appraisal is submitted to the business by an appraiser and values the asset securing the loan, the computer-readable medium executable by a computer for controlling the computer to “store data within a database including a plurality of appraisals submitted by a plurality of appraisers, wherein each appraisal describes and values a different asset used for

securing a financing, wherein access to said first database is restricted to users associated with the business...retrieve data from the database and display on a client system an appraisal bid request including information describing a specific asset to be used for securing a financing...receive a response from the appraiser to the appraisal bid request displayed on the client system...prompt the appraiser by displaying a template on the client system to input an appraisal including a type and a value of the asset being appraised...store the inputted appraisal within the database based on the type of asset being appraised and the appraiser submitting the appraisal...and process the plurality of appraisals stored within the database including valuing an asset to be appraised by comparing the type of asset to be appraised with the types of assets stored within said first database.”

Neither Regan nor the Official Notice, alone or in combination, describe or suggest a computer-readable medium for soliciting, receiving and managing appraisals for a business engaged in providing financing to a customer as recited in Claim 30. Claim 30, as herein amended, recites a computer-readable medium executable by a computer for controlling the computer to perform steps essentially similar those performed by the server in Claim 1. Thus, it is submitted that Claim 30 is patentable over Regan in view of the Official Notice for the reasons that correspond to those given with respect to Claim 1.

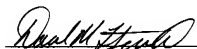
For at least the reasons set forth above, Claim 30 is submitted to be patentable over Regan in view of the Official Notice.

Claims 31-32 depend from Claim 30. When the recitations of Claims 31-32 are considered in combination with the recitations of Claim 30, Applicants submit that dependent Claims 31-32 are also patentable over Regan in view of the Official Notice.

For at least the reasons set forth above, Applicants respectfully request that the 103 rejection of Claims 1-10 and 22-32 be withdrawn.

In view of the foregoing remarks, all the Claims now active in the application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully Submitted,



Daniel M. Fitzgerald

Reg. No. 38,880

ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070